UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROCCO J. LAFARO, M.D., ARLEN G. FLEISHER, M.D., and CARDIAC SURGERY GROUP, P.C.,

Plaintiff,

-against-

NEW YORK CARDIOTHORACIC GROUP, PLLC, STEVEN L. LANSMAN, M.D., DAVID SPIELVOGEL, M.D., WESTCHESTER COUNTY HEALTH CARE CORPORATION and WESTCHESTER MEDICAL CENTER.

Defendants.

CERTIFICATE OF SERVICE

Case No. 07 Civ. 7984 (SCR)

JUSTIN M. VOGEL, an attorney admitted to practice before the United States District Court, Eastern District of New York, certifies that, on March 4, 2008, Defendants served their MEMORANDUM OF LAW IN OPPOSITION TO MOTION TO STRIKE AFFIRMATIVE DEFENSES, dated March 4, 2008, upon:

> Richard G. Menaker, Esq. MENAKER & HERRMANN, P.C. 10 East 40th Street New York, New York 10016-0301

by electronic filing and by dispatching a true copy of same, securely enclosed in a properlyaddressed wrapper via overnight delivery under the exclusive care and custody of Federal Express within the State of New York.

Dated: March 4, 2008

Great Neck, New York

GARFUNKEL, WILD & TRAVIS, P.C.

Attorneys for Defendants.

astin M. (Vogel (JV-5839)

111 Great Neck Road

Great Neck, New York 11021

(516) 393-2200